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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,385	03/26/2001	Yoshiaki Komatsu	108634

CONFIRMATION NO. 7847

25944  
OLIFF & BERRIDGE, PLC  
277 S. WASHINGTON STREET, SUITE 500  
ALEXANDRIA, VA 22314

FORMALITIES LETTER



\*OC00000006066322\*

Date Mailed: 05/11/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **5A** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

*Seble*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT APPLICATION**

*Sector #3*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshiaki KOMATSU

Attn: Box Missing Parts

Application No.: 09/816,385

Filed: March 26, 2001

Docket No.: 108634

For: STROKE DATA EDITING DEVICE

**RESPONSE TO NOTICE OF OMITTED ITEM  
IN A NONPROVISIONAL APPLICATION**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In response to the Notice of Omitted Item in a Nonprovisional Application (copy attached) mailed on May 11, 2001, submitted herewith is a Preliminary Amendment that serves to correct a typographical error in the specification. In particular, "Figure 5A", described in paragraph 25, is changed to "Figure 5". Applicant submits Figure 5 was in fact deposited in the U.S. Patent and Trademark Office with the non-provisional application papers.

A copy of the Notice, Preliminary Amendment and a date-stamped postcard receipt showing filing of the 18 drawings sheets, representing Figs. 1-14, are attached. Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notice of Omitted Items. Applicant also maintains the filing date is March 26, 2001, the date in which all original application papers were deposited in the U.S. Patent and Trademark Office.

Applicant submits that no Petition is required for this response. However, should the Patent Office believe otherwise, the Patent Office is authorized to charge any fees to Deposit Account No. 15-0461.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Scott M. Schulte  
Registration No. 44,325

JAO:SMS/sxb  
Attachments:

Notice of Omitted Items  
Preliminary Amendment and Appendix  
March 26, 2001 date-stamped receipt  
Date: June 15, 2001

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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**PTO RECEIPT FOR FILING OF PAPERS**

**The following papers have been filed:**

Appln\_t & ck 117499 (\$880);25pp spec/abs/25 clms/18 drw shts (1-14);exec dec;assign  
cvr & ck 117500 (\$40);exec assign;ids;pto-1449 w/ 7 refs; cert copy of JP 2000-099357  
filed 03-31-00

**Name of Applicant:** Yoshiaki KOMATSU

**Serial No.:** New U. S. Patent Application

**Atty. File No.:** 108634

**Title (New Cases):** STROKE DATA EDITING DEVICE

**Sender's Initials:** JAO/cln

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**PATENT OFFICE DATE STAMP**

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**COPY TO BE STAMPED BY PATENT OFFICE  
AND RETURNED BY MESSENGER**

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